Rene L. Valladares 1 Federal Public Defender 2 Nevada State Bar No. 11479 *Amelia L. Bizzaro 3 Assistant Federal Public Defender Wisconsin State Bar No. 1045709 4 411 E. Bonneville Ave., Ste. 250 5 Las Vegas, Nevada 89101 (702) 388-6577 6 Amelia Bizzaro@fd.org 7 *Attorney for Petitioner James Davis. 8 9 10 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 11 James Davis, 12 Petitioner, Case No. 2:15-cv-01574-RFB-NJK 13 **Unopposed Motion to Extend Time** 14 v. to File a Reply in Support of § 2254 D.W. Neven, et al., Petition 15 (First Request) 16 Respondents. 17 18 19 20 21 22 23 24 25 26 27

POINTS AND AUTHORITIES

Petitioner James Davis respectfully asks this Court to enter an Order extending his deadline for filing a reply in support of his first amended § 2254 petition by 30 days until April 30, 2021.

This is Davis's first request for an extension. Counsel exchanged emails with the warden's attorney, Senior Deputy Attorney General Allison Herr, on March 29, 2021, who does not oppose this request.

Neven filed his answer on March 1, 2021, following three extensions of his deadline. 1

This extension is necessary to allow counsel time to prepare and file Davis's reply in support of his petition. It is not made for the purposes of delay.

Counsel's work on this case has been slowed by the challenges of working remotely during the pandemic, and counsel's management responsibilities, which include training a new attorney who started just over a month ago. In addition, most recently, the majority of counsel's time was diverted to a pardon's board matter. Counsel's client is terminally ill and changes in his health in the last month necessitated that counsel divert the majority of her time to his case. The Pardon's Board Hearing was March 22, 2021, and was continued unexpectedly until March 23, 2021. Counsel traveled to Reno on March 21, 2021, for the remote hearing to coordinate witnesses, returning to Las Vegas late on March 23, 2021.

This extension will give counsel the time she needs to complete her work on Davis's Reply. Accordingly, Davis respectfully asks this Court to grant the requested extension to April 30, 2021.

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¹ ECF No. 105. See ECF Nos. 98–103.

1	Dated March 29, 2021.
2	Respectfully submitted,
3	nespectially submitted,
4	Rene L. Valladares
5	Federal Public Defender
6	/s/ Amelia L. Bizzaro
7	Amelia L. Bizzaro Assistant Federal Public Defender
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9	IT IS FURTHER ORDERED that [103] MOTION to Extend Time (Third Request) to File Answer to [29] Amended Petition for Writ of Habeas Corpus is granted nunc pro tunc.
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11	IT IS SO ORDERED:
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14	RICHARD F. BOULWARE, II United States District Judge
15	DATED this 6th day of April, 2021.
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